


Councilmember Carol Schwartz

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Carol Schwartz introduced the following bill, which was referred to the
Committee on _____.

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to
authorize the Hearing Examiner or the Arbitrator to require payment by the agency of
reasonable attorney fees to be applied retroactively.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
act may be cited as the "Office of Employees Appeals Attorney Fees Clarification Amendment
Act of 2001".

Sec. 2. Section 607 of the District of Columbia Government Comprehensive Merit
Personnel Act of 1978, effective May 15, 1990 (D.C. Law 8-127; D.C. Code § 1-606.8) is
amended to read as follows:

"(a) The Hearing Examiner or the Arbitrator may require payment by the agency of
reasonable attorney fees if the appellant is the prevailing party and payment is warranted in the
interest of justice.

"(b) The provisions of paragraph (a) of this subsection shall apply retroactively to those
who had earlier applied to the Office Of Employees Appeals for such payment.

Sec. 3. This act shall expire one year after its effective date.

Sec. 4. The Council adopts the fiscal impact statement in the committee report as the

fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code §1-233(c)(3)).

Sec. 5. This act shall take effect following approval by the Mayor (or in the event of a veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code §1-233(c)(1)), and publication in the District of Columbia Register.